

NEW YORK HERALD.

JAMES GORDON BENNETT,
EDITOR AND PROPRIETOR.

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AMUSEMENTS THIS EVENING.

BOWERY THEATRE, BOWERY.—SEVEN CASTLES OF THE FANTASY.—UNIQUE POETRY.

NIBLO'S GARDEN, Broadway.—THE PEARL OF SAVOY.

WINTER GARDEN, Broadway.—LOVE; OR, THE COURT-NEY AND THE SNAKE.

WALLACK'S THEATRE, Broadway.—THE IRON MASK.

NEW BOWERY THEATRE, BOWERY.—MICHELLE—BOLD BRIGADE—YOUR LIFE IS DANGEROUS.

BROADWAY THEATRE, Broadway.—THE HIDDEN HAND.

BARNUM'S MUSEUM, Broadway.—A LIVING ALLIANCE—FAT WOMAN—DANCERS, DAUGHTERS OF THE REBEL—JENNY LIND. Open day and evening.

BRYANT'S MINSTRELS, Mechanics' Hall, 473 Broadway.—ETHIOPIAN SONGS, DANCES, BURLESQUES, &c.—THE STREETS OF NEW YORK.

WOOD'S MINSTREL HALL, 514 Broadway.—ETHIOPIAN SONGS, DANCES, &c.—GREENBARKIA, THE PALACE OF SOAR.

HILLER'S HALL, 555 Broadway.—SAN FRANCISCO MINSTRELS—GROSS OPERA JONES.

HOOLEY'S HALL, 20 BOWERY.—SAM THURLEY'S MINSTRELS—FANTASY CONCERT—CARNIVAL OF FUN—THE BLACK STATION.

AMERICAN THEATRE, No. 441 Broadway.—BALLETS, FANTASTICS, BURLESQUES, &c.—THE SCOUT OF THE MOUNTAIN.

STUYVESANT INSTITUTE, 69 Broadway.—THE ITALIAN MARIONETTE AND MINSTREL THEATRE.

NEW YORK MUSEUM OF ANATOMY, 515 Broadway.—Open from 10 A. M. till 10 P. M.

New York, Tuesday, June 20, 1865.

NOTICE TO THE PUBLIC.

Our city subscribers will confer a favor by reporting any of our city carriers who overcharge for the Herald. Country subscribers to the New York Herald are requested to remit their subscriptions, whenever practicable, by Post Office Orders. It is the safest mode of transmitting money by mail.

Advertisements should be sent to the office before nine o'clock in the evening.

THE TRIAL.

The written arguments of the counsel for four of the persons charged with implication in the assassination of President Lincoln were read before the Washington court martial yesterday.

The argument of Hon. Reverdy Johnson, counsel for Mrs. Surratt, was confined almost exclusively to an effort to show that a military court could have no jurisdiction in such cases, but that the accused could only be legitimately tried in the civil courts. He announced that it was not his purpose to make any review of the evidence, but stated that it was unreasonable to suppose that a woman of Mrs. Surratt's character could have been engaged in so wicked a plot, and intimated that the testimony of the principal witnesses against her indicated that they were much more likely to have been cognizant of the conspiracy than she was.

Mr. Stone, the counsel for Harold, while admitting that his client had aided in the escape of Booth, contended that there was nothing in the evidence to show that he was in any way engaged in the assassination.

For the prisoners Arnold and O'Laughlin, Mr. Cox, their counsel, maintained that they were not in any way engaged in the conspiracy, and demanded their acquittal.

THE SITUATION.

The withdrawal of belligerent rights from the rebels by the British government, of which the readers of the Herald were informed yesterday morning, has been officially announced to our government. In reporting the fact to the Secretary of the Navy, Secretary Seward informs him that, as the twenty-four hour rule has not been rescinded by England, the customary courtesies are to be paid by our vessels to those of the British navy.

Governor Holden has issued his first proclamation to the people of North Carolina. He informs them that a convention to alter or amend the State constitution, to provide for the election of a Governor and a Legislature, and to put the civil machinery in full operation, will be held at an early period as practicable. Undoubted loyalty to the national government will be required of all delegates in this convention, and of all persons who vote for them. Those desiring to vote will be required to take the oath of allegiance, and to prove their duty to the national government. Magistrates, whose duty, among other things, it shall be to administer the oath of allegiance, and other civil officers, to act temporarily, will shortly be appointed by him for the various districts throughout the State. The Governor appeals to the people to renew with cheerfulness their usual pursuits and their interest in the property of the State and nation, reminding them that all of welfare and happiness that they have or that they can hope for, for themselves or their children, is indissolubly bound up with the Union. The colored people, in announcing to them that they are now free, he informs that it rests with themselves to prove whether this freedom is a blessing or an injury, and counsels them to cultivate habits of order and industry.

The Legislature of Virginia, in accordance with the proclamation of Governor Pierpont, assembled in extra session in Richmond yesterday.

A Cairo despatch announces that over seven thousand four hundred surrendered rebels of Jeff. Thompson's army have arrived at that place from down the Mississippi river. This statement indicates an extraordinary change from the usual experience with surrendered rebel armies. After the capitulation of Lee, Johnston and other rebel generals, when the time for paroling their troops arrived it was found that their numbers had greatly decreased. But a short time ago, when Jeff. made his surrender to a national officer, his force consisted of barely a corporal's guard, and now suddenly appear over seven thousand of his men awaiting parole. The initiatory steps have been taken for the establishment of civil courts throughout Northern Arkansas, and it is said that the people of the State are rapidly becoming orderly and peaceable.

John Mitchell, formerly one of the editors of the *New York Daily Richmond Enquirer*, and lately of the *New York Daily News*, who was recently taken into custody in this city by government officers, arrived in Hampton Roads, on board the steamer *Henry Burden*, on Saturday last, and was soon after committed to one of the casemates in Fort Monroe.

The rebel General Maury, the late rebel Governor Moore, of Alabama, and a man named Gayley, charged with having offered a reward of one million dollars for the murder of President Lincoln, arrived at Fort Monroe from New Orleans on Sunday last, under guard.

About one hundred and sixty thousand troops have left Washington and vicinity within the last eighteen days. There remain about thirty thousand yet to leave.

MISCELLANEOUS NEWS.

A very interesting and satisfactory account of the origin and progress of the war at present being waged by the republic of Paraguay on the one side and the empire of Brazil and the Argentine and Uruguayan republics on the other, is given by one of the *Herald's* correspondents in Buenos Ayres. It is a result of the recent war in

Our Position in Europe—The Unwilling Witnesses to Our Success.

The United States has forced from her only enemies in Europe the final recognition of her greatness and power, and has compelled those enemies to pat the words that they uttered with such eager and malignant haste. This is the significance of the withdrawal by England and France of those privileges that in a spirit of hostility to us they extended to rebel ships.

The three Western Powers had great stakes at issue in the late war, and great games to make by the destruction of this republic. France wanted to build up a supplemental empire in Mexico; England wanted to open in the Southern States a wide market for her manufactures, and Spain, whose Minister impudently declared our war to be his opportunity, wanted to revive that colonial realm which had once been to her the source of such immense wealth. Every one had a direct, immediate incentive, and all had a general stimulus in the dread with which a monarchical government must always look upon the success of a government constituted as ours is, on principles which assume that the people are the real sovereign power of every State. It was therefore only according to their nature to hurry to the assistance of whatever should promise our overthrow.

Hence all hastened to recognize the belligerent character of the insurrection, and England gave it the comfort of that immense system of blockade running that enabled it to keep its armies on foot. France gave it less material and immediate assistance, Spain none at all; but the selfish and malignant purpose of every one in the recognition was equally evident.

What were those European proclamations, that recognized the rebels as belligerents? They were the flourish of the axes' heels in the face of the sick lion. Giving some little strength to the South, they were much more significant as announcements to Europe, on the authority of those governments, that the republic of the United States was no longer the great Power whose wishes it was necessary to respect. The indecent haste with which France rushed to Mexico, and with which impotent Spain seized her "opportunity" in St. Domingo and Peru, as well as the daily humiliations over us in the London papers, showed it to be a foregone conclusion in Europe that our doom was sealed. The very recognitions of belligerent rights were based on the assumption that the rebellion was of such a character that to put it down was simply impossible. France, by the Mexican expedition, showed the extent of her faith in the belief that we could not put down the rebellion, and Spain showed her faith in the same belief by her conduct in Peru and St. Domingo. All this showed how very sick they thought we were. England also indicated her faith by those millions that the British government encouraged its subjects to lend, and by the millions lost in the blockade business. Taking their own capacity to put down rebellion as a proper measure, they believed it absurd to suppose that we could put down ours.

And now these governments are, by inevitable facts, compelled to announce to their people that we have done what they declared was impossible. They are compelled to recognize and to say that what they could not have hoped to do has been actually done by a government based on popular rights. They are in substance thus convicted out of their own mouths of the admission that we are stronger than they are, as well as that popular government is the strongest, the most vital, the most able to resist internal convulsion and to carry on war; consequently, that it is the best form of government on the earth. Will this announcement be without its effect on the mind of the European people, already fermenting on these great points?

The withdrawal of their declarations by France and England—the swallowing their words—and the hasty retirement of Spain from her attempts on this continent, are the recognitions of the immense power that we have shown in this war. They are extorted by those exhibitions of our power, and by nothing else. England's recognition is even extorted against a great pressure from the tory party—desirous to keep that recognition back for fear of its effect on the people. Let us not deceive ourselves with the nonsensical delusion that these recognitions come from any friendly spirit towards us. No; they are a necessary part of the reconstruction that has been forced by the power of our arms. We forced the reconstruction of the Union, and we just as distinctly forced this recognition of our power abroad, that now reconstructs the family of nations with the United States at the head, acknowledged as the first of military and naval powers.

NORTH CAROLINA—GOVERNOR HOLDEN'S PROCLAMATION.—We publish to-day a proclamation from the Provisional Governor of North Carolina, cutting out the necessary work for the reorganization of the State as a loyal member of the Union. He announces that as soon as practicable there will be a day appointed for the election of a State convention, the duties of which convention, when assembled, shall be to frame a new State constitution, to be ratified by the popular vote, and to provide for an election by the people of a Governor, State officers and Legislature under this new constitution.

In the next place the Legislature, elected as thus provided, shall choose two United States Senators, and then there shall be an election by the people of the members of the federal House of Representatives, under such arrangements of districts as the Legislature may have provided. In the meantime the Governor will appoint justices of the peace, to administer not only justice in the several counties, but the oath of loyalty, which every white citizen entitled to vote is required to take in advance; and no person who is not known to be well affected towards the government shall be permitted to take the oath, or participate in any way in this work of reorganization. The Governor puts in an earnest call upon the white population of the State to recognize with cheerfulness their restoration to the blessings of the Union, and their release from the most oppressive despotism which the world has ever witnessed, and he closes with a touching appeal to the emancipated blacks to go to work like honest, industrious men, and show that they truly appreciate the blessings of freedom which they have acquired, and not to be impatient in regard to political privileges for which they are not yet prepared.

Such are the substantive features of Mr. Hol-

den's initial proclamation in the task of the reorganization of North Carolina under the new order of things. He begins his work like a man of business, and from his intimate and thorough acquaintance with the people of the State we have no doubt he will secure thoroughly loyal men to aid him, and that North Carolina will be quietly and neatly reinstated in her proper place as a faithful and devoted member of the Union.

The Argument of Senator Reverdy Johnson Against the Constitutionality of the Assassination Conspiracy Trial.

We have received a full report of the argument of Senator Reverdy Johnson, of Maryland, one of the counsel for Mrs. Surratt, against the constitutionality of the military commission assembled to try the assassination conspirators. The report would fill a page of the *Herald*. We do not consider it sufficiently interesting to publish in full at this time. Of the evidence against Mrs. Surratt Mr. Johnson has very little to say, contenting himself with the remark, to which all well informed witnesses are liable, that they seem to know more about the conspiracy than Mrs. Surratt herself. Of this woman Mr. Johnson speaks in the highest terms, being her counsel, and is warm in his praise of her pure, Christian character. He takes no effort, however, to reconcile this character with the evidence against her; but he asks the Court to disbelieve the government witnesses because Mrs. Surratt is such a good woman. We hardly think that such a plea will suffice to secure her acquittal.

Mr. Johnson's argument against the constitutionality of the commission appears to us to be presented at the wrong time. If he proposed to deny the jurisdiction of the court over such offences and such offenders he should have presented his argument before the trial began, or, at the latest, before any witnesses were examined for the defence. To a common sense mind Mr. Johnson seems to have admitted the constitutionality of the court by appearing in it during the trial, cross-examining the government witnesses and producing testimony in favor of his client. It will be remembered that when one of the commission objected to his presence in court Mr. Johnson insisted upon being heard as counsel. If the court had no jurisdiction he might then have retorted that he had as much right to be there as the commissioners, thus raising the point of unconstitutionality and seizing an opportunity to press his argument with greater force than it can possibly have at present, when the evidence is all in and the prisoners, with one or two exceptions, are already practically convicted. By his delay Mr. Johnson has given his argument the appearance of a lame effort to rescue his client from what he knows to be a certain verdict of guilty.

Divested of all verbiage and of the countless authorities and illustrations by which it is supported, Mr. Johnson's argument is simply this: that the present military commission is unconstitutional because it conflicts with the fifth amendment of the constitution, which provides that "no person shall be held to answer for a capital or otherwise infamous crime unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia when in active service, in time of war or public danger." Senator Johnson argued precisely this same point against military tribunals before the Senate, during a debate upon the night of 3d of March last, a few hours before Mr. Lincoln's reinauguration. Several of the radical Senators then supported him but the majority were against him. If, then, the military commission shall decide that it is constitutionally convened and has jurisdiction over the prisoners at the bar, it will be sustained by no less a body than the Senate of the United States. The President of course sustains it, since it was assembled by his order. When we consider that the victim of the assassination was the Commander-in-Chief of our army and navy; that the assassination occurred in a city then under martial law, and encompassed by forts and sentinels; that the assassins are proven to be the agents of a conspiracy of which Jeff. Davis was the head; that these agents were the representatives and instruments of an armed rebellion, in whose service and for whose interest they acted, and that blank rebel commissions had actually been provided for some of them, we see that the Judge Advocate General will have no difficulty in showing that their case is fully covered by the constitutional amendment which Mr. Reverdy Johnson quotes. The people, who are, after all, the supreme arbiters, are already satisfied, not only of the guilt of most of the accused, but of the constitutionality of a tribunal which has proven more efficacious than any civil court could possibly be in tracing all the ramifications of a gigantic conspiracy, and in sweeping aside all those quibbles by which such pettifoggers as Sanders and Company always endeavor to defeat the ends of justice.

THE CROPS.—From all parts of the country we receive encouraging accounts respecting the crops. Despite the immense drain upon the labor of the country, made necessary by the war, a greater breadth of soil than usual in the Northern States has been devoted to agriculture. In the Southern States the total overthrow of a system of labor inaugurated many generations ago of course causes much embarrassment, and very little of the great staples—cotton, sugar and tobacco—have been planted; but considerable wheat has been harvested in many portions, and the corn crop, which is large, looks finely. In West Virginia, Maryland and New Jersey the wheat harvest has already commenced, and a wonderful yield is promised the reaper. Probably the largest hay crop ever gathered will reward the farmers of the Eastern States. Fruit promises an enormous yield, and vegetables are everything in appearance that could be desired. It seems that to the blessings of peace so lately vouchsafed us is now to be added the boon of a bountiful harvest.

GOVERNOR PIERPONT AND HIS LEGISLATURE.—The Provisional Governor of Old Virginia, Governor Pierpont, having called around him his little provisional Legislature, it assembled yesterday in Richmond. It is a small affair, elected from half a dozen counties, more or less, and under a constitution framed by a few loyalists at Alexandria, while the old State was practically under the rebel rule of Extra Billy Smith, under the wing of Jeff. Davis at Richmond, and while Mosby and his guerrillas were in full blast. The best thing that Governor Pierpont can do, we think, is to set aside this Legislature for want of a quorum, and proceed

to his business of reorganization on the plan of Governor Holden, of North Carolina, by providing for the election of a State convention to form a new constitution, &c. Something of this sort, we presume, too, will be done. "Rome was not built in a day."

THE LIBERATED BLACKS AND THE NEW FREE LABOR SYSTEM IN THE SOUTH.—We have all sorts of reports of the confusion, demoralization, idleness and destitution among the whites and blacks of the late rebellious States in consequence of the abolition of slavery. Thus from one quarter we hear that the planters have met and agreed upon a scale of wages for their liberated slaves so low that they flatly refuse to accept it; in another quarter we are told the planters are dismissing their blacks to go about their business, said planters being utterly disgusted with the astonishing results of their experiment for a Simon Pure slaveholding confederacy. In one place we are told the bewildered blacks are wandering idly about the country, and that lawless white desperadoes are hunting them down, while in other places the destitute white families of former masters are supplied by the charity of their faithful blacks.

Truly are the unfortunate people of the South the victims of the bitter cup of rebellion to the very dregs. We are not surprised, however, that, with the sudden and astounding collapse of their Southern confederacy and their cherished institution of slavery, they should be puzzled to make it out whether they are standing on their heels or their heads. They must have a little time to look about them in order to realize their true situation. There are two fixed facts, however, which we would impress upon all concerned to consider at once. The first applies to the late Southern slaveholders, and it is this—that they have lost their slaves. The second applies to the late slaves of the South, and it is simply this—that they have lost their masters and must shift for themselves; no work, no bread. There is still a third proposition, which is as true as that the sun rises and sets, viz.: that unless whites and blacks shall speedily agree to assist each other in the exchanges of wages and labor there will be much suffering and not a little starvation among both races. The whites, owning lands, factories or vessels, must be willing, on fair terms, to engage their late slaves as free laborers, and the latter must be willing to work for a little where they cannot do better. Nothing but hard work can repair the terrible damages inflicted upon the South by the rebellion; and whites and blacks, from the simple instinct of self preservation, should at once go to work together, with a generous disposition on both sides, in view of the coming winter.

It is folly to be wrangling about negro equality or inferiority when both races are adrift and that they must work or starve.

NEVER WITHOUT EXCITEMENT.—Some of our people have been laboring under the belief that the moment the war was over all excitement would cease, and that there would be a general stagnation of interesting news. We were often asked: Where will you get interesting matter to fill your paper? All such had but a faint idea of the character of the American people and their natural disposition for constant activity. The war is over, and we no longer record the thrilling accounts of desperate and bloody battles; yet the public are apparently as much excited as ever. The collapse of the rebellion brought us to the policy of reconstruction. This raised issues and questions which were of vital interest to every citizen. Everybody watched the developments on this point with as much anxiety as they did the progress of the war. Nor is it likely to lose its interest for some time to come. With this came the question of negro suffrage; over which the politicians are now trying to raise the wind, thus in reality arousing a sensational interest on that point.

Following the discharge of the soldiers comes the excitement of their return home and what they are to do in the future. Then we have the gold and silver fever, which is breaking out afresh as the result of the rich and wonderful developments made in Nevada, Idaho and Montana, promising to rival the California gold fever of a few years ago. This is an industrial excitement, furnishing as it does a field for our hardy soldiers to reap a rich reward, bids fair to add unusual interest, aside from the incidental agitation in regard to Mexico. The public will also find no small amount of stimulant in the complication of our foreign affairs. Then we will have the great change in commerce by the opening of the Suez Canal. The revival of the sensation in the scientific world is soon to follow the renewal of the effort to lay the Atlantic cable. Then there is the great Hoosic tunnel, about which all Boston is shaking like an aspen leaf, expecting every moment to see the balance of the world go off in a perfect blaze of glory over its completion. On top of all this we have a great commotion in the political world over the reorganization of parties, and reconstruction of the plans to capture the spoils of the future.

Instead of settling down and becoming quiet with the close of the war, the American people are only plunging deeper into sensation and excitement. Their activity and energy were only started by the stern necessities of war, and now that their energies are no longer required in that direction they are being turned to other matters, and, in a characteristic style, they move with railroad and lightning speed. This is no age for drones, nor far people who sit down and wait to see what next. The world is moving on, and the American people have no disposition to be left behind. So clear the track, and make room for the new class of sensations.

A GOOD PROSPECT FOR OUR SOLDIERS.—We give a brief account in another column of an expedition now on foot to establish a colony in the Yellowstone country, one of the rich mineral regions of Idaho, on the Pacific slope. Such enterprises, if managed by the proper parties, would be very valuable just now as a provision for our discharged soldiers. There will be some two hundred thousand of this class mustered out of service within a few weeks, and they are just the men to develop the wealth of those magnificent territories beyond the Rocky Mountains. They have become inured to hardship, can live on rough fare, and sleep under the sky. They have all learned to build railroads, and corduroy roads, cut Dutch Gap canals, construct bridges and do all kinds of available work such as will be

necessary to establish towns and cities, cultivate the virgin soil and dig out the gold and silver. They are men, too, educated to mechanical labor in almost every branch, and are in fact cut out expressly by habit and inclination for colonists. If, therefore, they can be induced to turn their attention to our new territories, under judicious management and fair dealing, it is just the occupation for them. It will insure them homes and fortunes, and at the same time relieve the Eastern States of a laboring force which may at the present time prove superabundant, and develop the resources of the Pacific slopes more effectively in five years than could be done by ordinary emigration in half a century.

Our Local Summer Resorts.

Now that the heat of summer is fairly upon us, people are eagerly availing themselves of the advantages of all the delightful haunts around the city, where they may enjoy, even if it were but for one day, the luxury of nature. All the modes of conveyance to the numerous country retreats around the city were overcharged with travellers on Sunday. Coney Island, Staten Island, the green spots about Brooklyn, Harlem, and the vicinity of all attractions, that furnished the Park, had their full quota of visitors. The Park, had almost every afternoon. There are few large cities which have so many delightful summer resorts within easy distance as New York, where the same variety of enjoyment is at command. A new feature in our suburban pleasures we observe has just been introduced in the vicinity of the Park, which might, in fact, be called an adjunct of that metropolitan institution. It is Falk's Belvidere, at Lion Park, 110th street, where the finest classical music, and the most popular also, is given on Wednesday and Saturday afternoons by Theodore Thomas and his admirable orchestra. The Belvidere is located on a hill which commands the highest points of the Park. It gives a splendidly picturesque view towards the East river and the numerous islands at short sea time, affording a great part of the most frequented drives of the Park. Nothing can be more delightful than to sit in the spacious concert room, which is open at all sides, commanding this superb landscape, and, in the very cool breeze that blows over its elevated site, and enjoy at the same time the excellent music which Theodore Thomas provides. The concert is free to the public. The hotel quarters with everything necessary for the wants of visitors; a good cuisine, private dining rooms, a concert hall, seating 1,500 people; elegant gardens, a *casa*, a *verre*, a little *chateau* of the Baron de Bismarck, a house for the most modern and a live bear. It is reached by a good avenue car, which stops at the gate, or can be visited from the Park by a short ride with everything necessary for the wants of visitors; a good cuisine, private dining rooms, a concert hall, seating 1,500 people; elegant gardens, a *casa*, a *verre*, a little *chateau* of the Baron de Bismarck, a house for the most modern and a live bear. 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